

Appl.No. 10/073,115

Amdt.dated 3/15/2004

Reply to Office action of Dec.18,2003

REMARKS/ARGUMENTS

Claims 1 and 2 have been amended. Claim 3 rejected by the examiner does not exist in the application.

The claims 1 and 2 were rejected by the examiner as being unpatentable over Diaz et al.(U.S. Patent 5,005,300) in view of McLaughlin(U.S. Patent 5,979,078), Hopperdietzel(U.S. Patent 4,911,878), Pavesi et al.(U.S. Patent 5,987,781), and Luthi(U.S. Patent 5,461,800). The applicant has amended the claims 1 and 2 as above to point out and distinctly claim the subject matter in the invention. Further, the object in present invention is the method of making an elastic pad especially for a shoe sole, the references U.S. Pat. 5,005,300 5,461,800 5,979,078 and 5,987,781 cited by the examiner were for the structure of elastic pad in a shoe sole or insert of shoes not the method of making an elastic pad of shoe sole, especially the method for mass production.

Meanwhile, the Hopperdietzel(U.S. Patent 4,911,878) discloses forming a reinforcement for athletic equipment which is for fix shape body not elastic pad for a shoe sole or insert of shoes, in other word, for one skilled in traditional making elastic pad of shoe sole would not possible to produce an elastic pad through the technical approach disclosed by Hopperdietzel because an elastic pad made by present invention must blow in air into the center of the plastic film/plastic sheet together extract the air between the wall of blow-mold and the plastic film/plastic sheet by a vacuum pump when closing the blow-mold to pull the plastic film/plastic sheet against the walls of blow-mold tightly, thus form the gasbag between the elastomer and the plastic film or plastic sheet. So the method of making an elastic pad for a shoe sole disclosed in present invention is an important technical approach for manufacturing such elastic pad, especially for the purpose of mass production.

In view of the above amendment and remarks to examiner 's action and comment, the applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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